

**Before the Federal Communications Commission**  
**Washington, D.C. 20554**

In the Matter of:	)	
	)	
Advanced Television Services and	)	MB Docket No. 87-268
Their Impact upon the Existing	)	
Television Broadcast Service	)	

Directed to: The Commission

**COMMENTS OF**  
**RICHLAND RESERVE, LLC**

Richland Reserve, LLC ("Richland"), permittee of a new DTV station, Facility Identification Number 166510, Greeley, Colorado, by its attorneys, hereby respectfully submits its Comments in response to the Commission's *Eighth Further Notice of Proposed Rule Making* ("*Eighth Further Notice*") included as part of the *Seventh Report and Order and Eighth Further Notice of Proposed Rule Making*, FCC 07-138, released August 6, 2007 ("*Seventh R&O and Eighth Further Notice*"). With respect thereto, the following is stated:

1. Richland's construction permit for new Greeley DTV station was granted pursuant to the proceedings in FCC Auction No. 64. Richland's construction permit consequently authorizes the new station to operate on DTV Channel 45 at this time. No channel for this facility, however, was included in the draft DTV Table of Allotments attached to the Commission's *Seventh Further Notice of Proposed Rule Making*, FCC 06-150, released October 20, 2006 ("*SFNPRM*"), as the construction permit had not yet been granted at that time of the *SFNPRM*'s release. Following grant of the construction permit on January 10, 2007, Richland reviewed the technical parameters, including the interference that would be caused by other channels proposed in the draft DTV Table of Allotments, and submitted comments in response to the *SRNPRM*. In those comments, Richland requested that due to interference considerations, the channel assigned

to the facility be changed to DTV Channel 49 and to have Channel 49 rather than Channel 45 added to the Digital Television Digital Television (“DTV”) Table of Allotments. “Comments of Richland Reserve, LLC” at ¶5, Engineering Statement. After review of Richland’s submission, the Commission proposed in the *Eighth Further Notice* to allot DTV Channel 49 for use by the Greeley facility. *Eighth Further Notice* at ¶140.

2. Other proposed changes included in the *Eighth Further Notice*, however, have created interference concerns regarding Channel 49 at Greeley and Channel 48 at Pueblo, Colorado. As set forth in the attached Engineering Statement, the proposed Tentative Channel Designation (“TCD”) of Channel 48 for the new station at Pueblo, Colorado, will receive 0.8 percent interference from the proposed TCD of Channel 49 at Greeley. However, the DTV Table of Allotments attached to *Seventh R&O and Eighth Further Notice* reflects approval of a change in the TCD for KBDI-TV, Broomfield, Colorado, from Channel 38 to Channel 13, thereby freeing Channel 38 for use at Greeley. As demonstrated in the attached Engineering Statement, DTV Channel 38 at Greeley will neither cause nor receive interference in excess of 0.1 percent. Accordingly, Richland hereby requests that Channel 38 be allotted as its post-transition DTV channel at Greeley instead of Channel 49. This change will eliminate all interference concerns and will thereby serve the public interest.

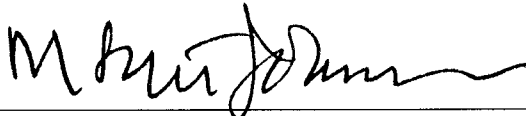
3. If Channel 38 is allotted as the Greeley station’s post-transition channel, Richland will file an application for construction permit for the Channel 38 facility at the appropriate time and in accordance with procedures to be designated by the Commission, and Richland will promptly construct such facilities upon their authorization. This allotment would result in the optimum arrangement of channels and would provide the greatest amount of interference-free DTV service

to the public.<sup>1</sup> Clearly, such considerations are important to ensuring that the DTV transition continues to move forward as smoothly as possible as stations move to new, post-transition channels. While it will remain possible post-transition, as has historically been the case, for licensees and permittees to seek additional changes to the DTV Table of Allotments, the public interest would best be served by moving into the final stages of the DTV transition with an optimized Table of Allotments. Accordingly, Richland hereby requests that the proposed DTV Table of Allotments be amended to specify DTV Channel 38.

WHEREFORE, the premises considered, Richland hereby respectfully requests that the proposed DTV Table of Allotments be amended to specify DTV Channel 38 as the post-transition DTV channel for the new Greeley facility.

Respectfully submitted,

RICHLAND RESERVE, LLC

By: 

M. Scott Johnson  
Joseph M. Di Scipio  
Anne Goodwin Crump

Its Attorneys

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October 10, 2007

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<sup>1</sup> Should the Commission determine that it will not allot Channel 38 at Greeley, however, Richland would continue to support the allotment of Channel 49 in lieu of Channel 45, as proposed in the *Eighth Further Notice*, as less overall interference would be created. In such an event, Richland would seek authorization for Channel 49 in accordance with procedures to be established by the Commission and would promptly construct such facilities as authorized.

**ENGINEERING STATEMENT  
RE: COMMENTS OF RICHLAND RESERVE, LLC  
MB DOCKET NO. 87-268**

**INTRODUCTION**

This statement was prepared on behalf Richland Reserve, LLC, (“Richland”), the permittee of DTV Channel 45 and the designee of the proposed DTV Channel 49 TCD for post-transition use at Greeley, CO, Facility ID No. 166510. It was prepared in support of comments by Richland in response to the Eighth Further Notice of Proposed Rule Making released August 6, 2007 along with the Seventh Report and Order in MB Docket NO. 87-268.

**REVIEW**

Richland was the successful applicant for DTV Channel 45 at Greeley, CO in Auction 64 and was ultimately awarded Construction Permit BNPCDT-20060421AAO on January 10, 2007. The Commission was unable to consider a temporary channel designation (TCD) for Greeley, CO since the above construction permit was granted subsequent to the release of the new DTV Table of Allotments proposed in the Seventh Further Notice of Proposed Rule Making MB Docket No. 87-268 (“7<sup>th</sup> FNPRM”). The Commission, in the 7<sup>th</sup> FNPRM in paragraphs 50-53 provided the opportunity for new licenses and permittees to seek the inclusion of their current NTSC or DTV channel in the new table or request an alternate channel to be added to the table as the stations TCD. In view of those conditions the office of the undersigned on behalf of Richland, determined that the operation of the Greeley, CO DTV CP on Channel 45 would not satisfy the interference protection criteria outlined in the 7<sup>th</sup> FNPRM since the operation of the Channel 45 facility as authorized by the construction permit would cause 0.3 percent of new interference to the Channel 46 TCD of KWHD, Castle Rock, CO. Additionally, the Greeley, CO CP, as authorized, would receive 2.8 percent of new interference from the Channel 46 TCD at Castle Rock, CO. Accordingly additional studies were conducted by the office of the undersigned in search of an alternate channel for inclusion in the new table of DTV allotments. It was determined and demonstrated to the Commission that Channel 49 could be used in lieu of Channel 45 to replicate the Greeley, CO CP service area consistent with the interference criteria described in the 7<sup>th</sup> FNPRM .

**EIGHTH FURTHER NOTICE OF PROPOSED RULE MAKING**

Contained in the Seventh Report and Order as Section IV is the Eighth Further Notice of Proposed Rule Making , (8<sup>th</sup> FNPRM”) which was included to accommodate (A) New Permittees and (B) Late filed requests for changes in the Table of Allotments Appendix B. A separate pleading cycle has been established to give interested parties an opportunity to

comment on new permittees that attained permittee status too late to be considered in the Seventh Report and Order. Section IV (A) New Permittees lists three new permittees that attained permittee status since the Commission issued the New Permittees Public Notice, January 19, 2007. The three new permittees are Entravision Holdings, LLC in Pueblo, CO (Analog Channel 48), Richland Reserve, LLC in Greeley, CO (Digital Channel 45) and Northwest Television Inc. in Galesburg IL (Digital Channel 53). The Commission's staff determined that post-transition, Channel 48 in Pueblo, CO would create no additional interference therefore Channel 48 is proposed as the stations TCD. The staff determined through an interference analysis that post-transition Channel 45 in Greeley, CO would cause 0.3 percent of new interference, therefore they propose Channel 49 in lieu of Channel 45 as the TCD for Greeley, CO. There will be no discussion of the TCD proposed for Galesburg, IL since it is not an issue in this engineering statement.

In preparing this statement, interference criteria outlined in the 7<sup>th</sup> FNPRM and in the Seventh Report and Order were considered by the undersigned with respect to the proposed post-transition TCD's, Channel 48 at Pueblo, CO and Channel 49 at Greeley, CO. As determined by the Commission's staff and as listed in Appendix G of the Seventh Report and Order the Channel 48 TCD proposed for Pueblo, CO will receive 0.8 percent of new interference. Our calculations have determined that the interference affecting the proposed Pueblo, CO TCD is caused by the Channel 49 TCD proposed for Greeley, CO. In an effort to resolve any interference concern created by the proposed post-transition TCD's at Pueblo, CO and Greeley, CO additional studies of the post-transition database were conducted by the office of the undersigned on behalf of Richland.

An analysis of the TCD's listed in Appendix B of the post-transition database, concentrated in the Colorado region, disclosed that Colorado Public Television, licensee of KBDI-TV at Broomfield, CO, paired with Channel 38 for digital operation, filed comments in the 7<sup>th</sup> FNPRM requesting a channel change from Channel 38 to Channel 13. The proposal was approved by the Commission, and Channel 13 is listed in Appendix B of the post transition Table of Allotments for KBDI-TV at Broomfield, CO. Since Channel 38 will not be used at Broomfield for post-transition operation, it appears that the channel is now available for use as a TCD in the region. Accordingly, we conducted an interference analysis of the use of Channel 38 at Greeley, CO, as that station's TCD. The study was based on parameters equivalent to those specified for the Channel 49 TCD at Greeley, CO as listed in Appendix G of the Seventh Report and Order.

Our study for use of Channel 38 at Greeley, CO, was conducted using the "TV Interference and Spacing Analysis Program", developed by Techware, Inc. and the current post-transition database released August 7, 2007 as Appendix B in the Seventh Report and Order in MB Docket No. 87-268. The Commission's staff employs a similar version of the same computer program to evaluate requests for modifications of DTV facilities and changes in channel allotments. A computer print-out of the results of the Channel 38 interference analysis is attached to this engineering statement as Figure 1. As demonstrated by the interference analysis

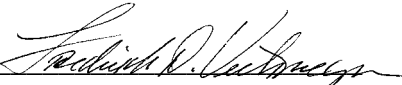
a Channel 38 TCD as described herein will not cause or receive interference in excess of the 0.1 percent interference standard described in the 7<sup>th</sup> FNPRM and the Seventh Report and Order.

## **CONCLUSION**

Appendix G of the Seventh Report and Order lists proposed TCD's for new permittees at Pueblo, Colorado and Greeley, Colorado. It has been demonstrated in this statement that the Channel 49 TCD at Greeley, CO, proposed for post-transition operation will result in 0.8 percent of interference to the Channel 48 TCD proposed for post-transition operation at Pueblo, CO. It has also been demonstrated that the interference issue can be resolved by changing the channel designation at Greeley, CO from Channel 49 to Channel 38, that has become available through channel changes authorized in the Seventh Report and Order. Accordingly we respectfully request that a Channel 38 TCD at Greeley, CO, specifying the same parameters assigned to the Channel 49 TCD at Greeley, as proposed in Appendix G, be added to the final post-transition Table of Allotments, Appendix B of the Seventh Report and Order.

Respectfully submitted,

LOHNES AND CULVER

By   
Frederick D. Veihmeyer

October, 2007

FIGURE 1  
 POST-TRANSITION ANALYSIS  
 CHANNEL 38 – REPLICATION FACILITY  
 GREELEY, COLORADO

TV INTERFERENCE and SPACING ANALYSIS PROGRAM

Percent allowed new interference: 0.100  
 Percent allowed new interference to Class A: 0.500  
 Census data selected 2000

Post Transition Data Base Selected  
 /space/software/cdbb/tvdb.sff\_G

Date: 09-14-2007 Time: 16:38:02

Record Selected for Analysis

KPJR-DT USERRECORD-01 GREELEY CO US  
 Channel 38 ERP 825. kW HAAT 379. m RCAMSL 01798 m  
 Latitude 040-24-48 Longitude 0104-19-40  
 Status APP Zone 2 Border  
 Last update Cutoff date Docket  
 Comments  
 Applicant

Cell Size for Service Analysis 2.0 km/side

Distance Increments for Longley-Rice Analysis 1.00 km

Facility meets maximum height/power limits

Azimuth (Deg)	ERP (kW)	HAAT (m)	41.0 dBu F(50,90) (km)
0.0	825.000	325.4	97.8
45.0	825.000	376.4	102.2
90.0	825.000	386.4	103.1
135.0	825.000	417.7	105.8
180.0	825.000	404.1	104.6
225.0	825.000	392.0	103.6
270.0	825.000	376.1	102.2
315.0	825.000	356.0	100.6

Evaluation toward Class A Stations

No Spacing violations or contour overlap to Class A stations

Prepared By  
 Lohnes and Culver Laurel, Maryland  
 September 2007

FIGURE 1  
 POST-TRANSITION ANALYSIS  
 CHANNEL 38 – REPLICATION FACILITY  
 GREELEY, COLORADO

Class A Evaluation Complete

No spacing violations found to other full service stations

LANDMOBILE SPACING VIOLATIONS FOUND

NONE

Proposed facility OK to FCC Monitoring Stations

Proposed facility OK toward West Virginia quite zone

Proposed facility OK toward Table Mountain

Proposed facility is beyond the Canadian coordination distance

Proposed facility is beyond the Mexican coordination distance

Proposed station is OK toward AM broadcast stations

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Start of Interference Analysis

Channel	Proposed Station Call	City/State	ARN
38	KPJR-DT	GREELEY CO	USERRECORD01

Stations Potentially Affected by Proposed Station

Chan	Call	City/State	Dist(km)	Status	Application Ref. No.
39	KDEV-LP	AURORA CO	94.3	APP	USERRECORD-02

%%%

Analysis of Interference to Affected Station    1

Analysis of current record

Channel	Call	City/State	Application Ref. No.
39	KDEV-LP	AURORA CO	USERRECORD-02

Stations Potentially Affecting This Station

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 Lohnes and Culver    Laurel, Maryland  
 September 2007



FIGURE 1  
 POST-TRANSITION ANALYSIS  
 CHANNEL 38 – REPLICATION FACILITY  
 GREELEY, COLORADO

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
32	KDVR	DENVER CO	31.6	CP	BPCDT	-19991101AIT
35	KCNC-TV	DENVER CO	31.3	CP MOD	BMPCDT	-20000501ADD
40	KRMT	DENVER CO	30.0	CP	BPEDT	-20000501AHN
42	KOAA-TV	PUEBLO CO	103.4	CP	BPCDT	-19991029AGS
43	KPXC-TV	DENVER CO	29.4	CP	BDTV	-00000271
46	KWHD	CASTLE ROCK CO	32.8	CP	BPCDT	-19991005ABO
38	KPJR-DT	GREELEY CO	94.3	APP	USERRECORD-01	

Proposal causes no interference

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Analysis of Interference to Affected Station 2

Analysis of current record

Channel	Call	City/State	Application	Ref. No.
38	KPJR-DT	GREELEY CO	USERRECORD-01	

Stations Potentially Affecting This Station

Chan	Call	City/State	Dist(km)	Status	Application	Ref. No.
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Total scenarios = 1

Result key: 1  
 Scenario 1 Affected station 2  
 Before Analysis

Results for: 38A CO GREELEY USERRECORD01 APP  
 HAAT 379.0 m, ATV ERP 825.0 kW

	POPULATION	AREA (sq km)
within Noise Limited Contour	2418288	32977.3
not affected by terrain losses	2408922	32379.5
lost to NTSC IX	0	0.0
lost to additional IX by ATV	0	0.0
lost to ATV IX only	0	0.0
lost to all IX	0	0.0

Potential Interfering Stations Included in above Scenario 1

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